THE HON'BLE MR JUSTICE B. PRAKASH RAO
AND
THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION No. 8350 of 2005

Between:

Y. Surender Reddy

… PETITIONER

AND

The Government of Andhra Pradesh,
Rep., by its Secretary,
Finance (SMPC) Department, (R&E)
Secretariat, Hyderabad & another.

… RESPONDENTS

ORDER: **(PER THE HONOURABLE RR,J)**

The relief sought for in this writ petition is for a direction to the 2nd respondent to consider the case of the petitioner for appointment to the post of Assistant Motor Vehicle Inspector on the ground that one Smt. B. Madhavi was appointed by transfer as Typist-cum-Assistant in 1st respondent department i.e., Finance and Planning Department. The petitioner invoked the jurisdiction of this Court under Article 226 of the Constitution of India without his approaching the A.P. Administrative Tribunal in this regard.

In view of the decision laid down by the Apex Court in ***L.Chandra Kumar v. Union of India and others***[1], the petitioner herein ought to have invoked the jurisdiction of the Tribunal at the first instance before approaching this Court and the writ petition is therefore dismissed. It is needless to state that this order shall not preclude the petitioner if he so chooses from invoking jurisdiction of the A.P. Administrative Tribunal for the relief sought for in this writ petition.

With the above observation, the writ petition is dismissed. No costs.

B. PRAKASH RAO, J

RAMESH RANGANATHAN, J

Date: 21.07.2006
ES

[1] AIR 1997 SC 1125